UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

BILLIE GILLENWATER,)	
Plaintiff,)	
v.)	Case No. 4:05CV2011 RWS
)	
BURLINGTON NORTHERN and)	
SANTA FE RAILWAY CO., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before me on Defendants' Motion for Leave to File in Excess of 25 Interrogatories, Including Subparts [#11]. Any discovery motion is premature because I have not yet held a Rule 16 Conference. See Fed. R. Civ. P. 16; Fed. R. Civ. P. 26. As a result, the motion will be denied.

Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion for Leave to File in Excess of 25 Interrogatories, Including Subparts [#11] is **DENIED** without prejudice.

Dated this 16th day of November, 2005.

RODNEY W. SIPPEL

UNITED STATES DISTRICT JUDGE